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## FACSIMILE TRANSMISSION

Total # of Pages 4 (including this page)

TO:	PHONE:	FAX #:
US PTO, Mail Stop Petitions Attn: Dorothea Allen		703 308 5077

From: Phillip Articola  
Sender's Direct Dial: 202-672-5535  
Date: June 14, 2005  
Client/Matter No: 040658/0601  
User ID No: 0022

RECEIVED  
JUN 16 2005  
OFFICE OF PETITIONS

RE: US Patent No. 6,138,245

SUPPLEMENTAL PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 C.F.R. 1.378(C))

On April 27, 2005, Applicants submitted by fax a Petition to Accept Unintentional Delayed Payment of Maintenance Fee in an Expired Patent, which has been entered at the PTO (according to PAIR). A resubmission was made on May 31, 2005, but the wrong deposit account was included in that submission.

Applicant's representative should have shown the Maintenance Fee to be paid on the Form SB/66 as a Large Entity, and not as a Small Entity. Included is a copy of that Form SB/66, which is marked up to show that a Large Entity maintenance fee payment should be made.

Thus, the PTO is authorized to charge an additional \$450.00 fee from Deposit Account 19-(0741, so that the proper \$900.00 fee is charged for the first maintenance fee payment. The PTO is also authorized to charge the Deposit Account for any other fees to have this change effected.

Respectfully submitted,

*Phillip J. Articola*  
Phillip Articola Reg. No. 38,819

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JUL 14 2005

06/15/2005 DALLEN 00000001 190741 -6138245

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PTO/SB/66 (11-03)

Approved for use through 05/31/2006. OMB 0651-0018  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))**

Docket Number (Optional)

040658-0601

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information  
At (703) 305-9282.

Patent No. 6,138,245Application Number 09/245,823Issue Date 10/24/2000Filing Date 02/05/1999

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent  
number (or reissue patent number, if a reissue) and (2) the application number of the  
actual U.S. application (or reissue application) leading to issuance of that patent to  
ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

**Also complete the following information, if applicable**

The above-identified patent:

- ☐ is a reissue of original Patent No. \_\_\_\_\_, original issue date \_\_\_\_\_,  
original application number \_\_\_\_\_,  
original filing date \_\_\_\_\_.
- ☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international  
application \_\_\_\_\_ filed on \_\_\_\_\_.

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JUN 16 2005

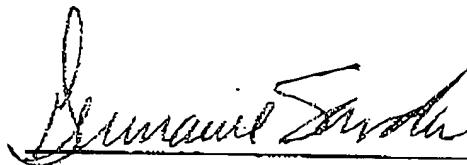
OFFICE OF PETITIONS

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being  
facsimile transmitted to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-  
1450, on the date below.

April 27, 2005

Date



Signature

Germaine Sarda

Typed or printed name of person signing Certificate

[Page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the  
public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is  
estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary  
depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this  
burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria,  
VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**BEST AVAILABLE COPY**

PTO/SB/66 (11-03)

Approved for use through 05/31/2006. OMB 0851-0016

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**1. SMALL ENTITY**☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

No

**2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).**3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))**

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity				Small Entity			
	Amount	Fee	(Code)		Amount	Fee	(Code)
<input checked="" type="checkbox"/>	\$900.00	3 1/2 yr fee	(1551)	<input checked="" type="checkbox"/>	\$450.00	3 1/2 yr fee	(2551)
<input type="checkbox"/>	\$2,300.00	7 1/2 yr fee	(1552)	<input type="checkbox"/>	\$1,150.00	7 1/2 yr fee	(2552)
<input type="checkbox"/>	\$3,800.00	11 1/2 yr fee	(1553)	<input type="checkbox"/>	\$1,900.00	11 1/2 yr fee	(2553)

**4. SURCHARGE**

MAINTENANCE FEE BEING SUBMITTED \$450.00

The surcharge required by 37 CFR 1.20(l)(2) of \$1,640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$1,640.00

**5. MANNER OF PAYMENT**☐ Enclosed is a check for the sum of \$2,090.00.☒ Please charge Deposit Account No. 50-0872 the sum of \$2,090.00. A duplicate copy of this authorization is attached.☐ Payment by credit card. Form PTO-2038 is attached.**6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY**☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. 50-0872. A duplicate copy of this authorization is attached.

## BEST AVAILABLE COPY

P.O./S.B./66 (11-03)

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## 7. OVERPAYMENT

As to any overpayment made please

☒ Credit to Deposit Account No. 50-0872.

OR

☐ Send refund check.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## 8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

## 9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

April 27, 2005

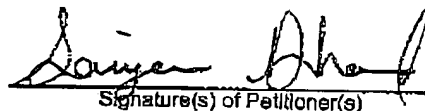
Date

(858) 847-6715

Telephone Number

51,182

Registration Number, if applicable

  
Signature(s) of Petitioner(s)

Sanjeev K. Dhand

Typed or printed name(s)

Customer No. 30542

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

## ENCLOSURES:

☒ Maintenance Fee payment☒ Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)☐